

Home and Community-Based Services (HCBS) Rules DEPARTMENT FUNDING GUIDANCE

The Home and Community-Based Services (HCBS) rules ensure that people with disabilities have full access to, and enjoy the benefits of, community living through long-term services and supports in the most integrated settings of their choosing. In order to assist in determining eligibility for compliance funding, providers must complete this evaluation. Both “Yes” and “No” answers require an explanation. A “No” response *could* mean a service setting is out of compliance with the HCBS rules and is potentially eligible for funding to make necessary adjustments. Once this evaluation is completed, it should act as a guide for filling out the provider compliance funding concept, which is required for any provider to be eligible for compliance funding. **Completion of this evaluation is for the sole purpose of applying for compliance funding and does not take the place of future provider assessments that the Department may require to determine provider compliance with the HCBS settings rules. Only providers requesting compliance funding need to complete this evaluation.**

Federal Requirements #1-5 apply to providers of all services, including residential and non-residential settings. Federal Requirements #6-10 are additional requirements that apply only to provider-owned or controlled residential settings.

The column labeled “Guidance” contains a series of questions intended to help identify compliance or non-compliance with each requirement as it relates to the HCBS rules. While responses to these questions can help in the determination of whether or not a particular requirement is met, these responses may not be the sole factor in this determination.

More information on the HCBS rules and this form can be found at <https://www.dds.ca.gov/initiatives/cms-hcbs-regulations/>.

Questions may be directed to HCBSregs@dds.ca.gov.

Date(s) of Evaluation: 2/3/2021	Completed by: Lindsey Dyba, Regional Associate Director
Vendor Name, Address, Contact: Futures Explored Inc, 2829 Watt Avenue Sute 100, Sacramento CA 95821, Lindsey Dyba (916) 704-5204	
Vendor Number: PA1930; H63990; PA1825	
Service Type and Code: Film and Media Studio, Employment Training Program-055; Tailored Day Service, LIFE-510;	

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<p><u>Federal Requirement #1:</u> <i>The setting is integrated in, and supports full access of individuals receiving Medicaid HCBS to the greater community, including opportunities to seek employment and work in competitive integrated settings, engage in community life, control personal resources, and receive services in the community, to the same degree of access as individuals not receiving Medicaid HCBS.</i></p>	<p><u>Guidance:</u></p> <ul style="list-style-type: none"> • Do individuals receive services in the community based on their needs, preferences and abilities? • Does the individual participate in outings and activities in the community as part of his or her plan for services? • If an individual wants to seek paid employment, does the home staff refer the individual to the appropriate community agency/resource? • Do individuals have the option to control their personal resources, as appropriate?
<p>Does the service and/or program meet this requirement? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: The specific portion of this requirement that is not currently being adequately met is “does the individual participate in outings and activities as part of his/her plan for services?”. The Individual Service Plan (ISP) goals currently written often are not developed in a person centered way and so are not meaningful to the participant and/or do not support the person’s vision for their life. This results in a disconnect between the stated ISP goals and supports and the choices that the person makes in their everyday services.</p>	
<p><u>Federal Requirement #2:</u> <i>The setting is selected by the individual from among setting options, including non-disability-specific settings and an option for a private unit in a residential setting. The setting options are identified and documented in the person-centered service plan and are based on the individual’s needs, preferences, and, for residential settings, resources available for room and board.</i></p>	<p><u>Guidance:</u></p> <ul style="list-style-type: none"> • Does the provider have a current regional center Individual Program Plan (IPP) on file for all individuals? • Does each individual’s IPP document the different setting options that were considered prior to selecting this setting?
<p>Does the service and/or program meet this requirement? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please explain: We request current IPPs each year from the Regional Center and complete a follow up request if the IPP is not received. The Regional Center is responsible for writing the IPP and therefore responsible for ensuring that the IPP documents different setting options.</p>	

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<p><u>Federal Requirement #3:</u> <i>Ensures an individual's rights of privacy, dignity and respect, and freedom from coercion and restraint.</i></p>	<p><u>Guidance:</u></p> <ul style="list-style-type: none"> • Does the provider inform individuals, in a manner they can understand, of their rights to privacy, dignity, respect, and freedom from coercion and restraint? • Does the provider communicate, both verbally and in writing, in a manner that ensures privacy and confidentiality? • Do staff communicate with individuals based on their needs and preferences, including alternative methods of communication where needed (e.g., assistive technology, Braille, large font print, sign language, participants' language, etc.)?
<p>Does the service and/or program meet this requirement? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Please explain: Futures Explored offers training related to privacy, dignity and respect, as well as coercion and restraint, to employees in several ways: thru videos, online platforms, acknowledgment of agency policies and procedures etc, which happen upon hire and at regular intervals. Discussions of personal information are limited to areas where privacy and confidentiality are assured. Written materials are created using plain language and include pictorial representations to the extent possible. Staff seek to learn the communication needs and desires of their participants and communicate accordingly.</p>	
<p><u>Federal Requirement #4:</u> <i>Optimizes but does not regiment individual initiative, autonomy, and independence in making life choices, including, but not limited to, daily activities, physical environment, and with whom to interact.</i></p>	<p><u>Guidance:</u></p> <ul style="list-style-type: none"> • Does the provider offer daily activities that are based on the individual's needs and preferences? • Does the provider structure their support so that the individual is able to interact with individuals they choose to interact with, both at home and in community settings? • Does the provider structure their support so that the individual is able to participate in activities that interest them and correspond with their IPP goals?
<p>Does the service and/or program meet this requirement? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Please explain: The specific portion of this requirement that are currently not being adequately met is "does the provider structure their support so that the individual is able to participate in activities that interest them and correspond with their IPP goals?" Offered activities are based on the person's preferences. However, ISP goals are not</p>	

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written in a way which takes into account the participant's long term goals resulting in supports during daily activities not being delivered in a way which supports achievement of long term goals.

Federal Requirement #5:

Facilitates individual choice regarding services and supports, and who provides them.

Guidance:

- Does the provider support individuals in choosing which staff provide their care to the extent that alternative staff are available?
- Do individuals have opportunities to modify their services and/or voice their concerns outside of the scheduled review of services?

Does the service and/or program meet this requirement? Yes No

Please explain: This Requirement is also partially met. The program currently allows for participants to select which staff they would like to provide support to the extent that staff is available. Individuals have opportunities to voice concerns at any time via our grievance and suggestion box procedures.

The participant's Individual Service Plan is generally only modified once or twice a year during the scheduled reviews of services. At times, large changes occur in the person's life which require a change in the ISP goals and supports, however, the ISP is rarely updated at these times to reflect these changes.

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Only providers of services in **provider-owned or controlled residential settings** need to complete the remainder of this evaluation. In **provider-owned or controlled residential settings**, in addition to the above requirements, the following requirements must also be met:

<p><u>Federal Requirement #6:</u> <i>The unit or dwelling is a specific physical place that can be owned, rented or occupied under a legally enforceable agreement by the individual receiving services, and the individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the landlord/tenant law of the State, county, city or other designated entity. For settings in which landlord/tenant laws do not apply, the State must ensure that a lease, residency agreement or other form of written agreement will be in place for each participant and that the document provides protections that address eviction processes and appeals comparable to those provided under the jurisdiction's landlord/tenant law.</i></p>	<p><u>Guidance:</u></p> <ul style="list-style-type: none"> • As applicable, does each individual have a lease, residency agreement, admission agreement, or other form of written residency agreement? • Are individuals informed about how to relocate and request new housing?
<p>Does the service and/or program meet this requirement? <input type="checkbox"/> Yes <input type="checkbox"/> No Please explain: N/A</p>	
<p><u>Federal Requirement #7:</u> <i>Each individual has privacy in his/her sleeping or living unit: Units have entrance doors lockable by the individual, with only appropriate staff having keys to doors as needed. Individuals sharing units have a choice of roommates in that setting. Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.</i></p>	<p><u>Guidance:</u></p> <ul style="list-style-type: none"> • Do individuals have a choice regarding roommates or private accommodations? • Do individuals have the option of furnishing and decorating their sleeping or living units with their own personal items, in a manner that is based on their preferences? • Do individuals have the ability to lock their bedroom doors when they choose?
<p>Does the service and/or program meet this requirement? <input type="checkbox"/> Yes <input type="checkbox"/> No Please explain: N/A</p>	

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<p><u>Federal Requirement #8:</u> <i>Individuals have the freedom and support to control their own schedules and activities, and have access to food at any time.</i></p>	<p><u>Guidance:</u></p> <ul style="list-style-type: none"> • Do individuals have access to food at any time? • Does the home allow individuals to set their own daily schedules? • Do individuals have full access to typical facilities in a home such as a kitchen, dining area, laundry, and comfortable seating in shared areas?
<p>Does the service and/or program meet this requirement? <input type="checkbox"/> Yes <input type="checkbox"/> No Please explain: N/A</p>	
<p><u>Federal Requirement #9:</u> <i>Individuals are able to have visitors of their choosing at any time.</i></p>	<p><u>Guidance:</u></p> <ul style="list-style-type: none"> • Are visitors welcome to visit the home at any time? • Can individuals go with visitors outside the home; such as for a meal or shopping, or for a longer visit outside the home, such as for holidays or weekends?
<p>Does the service and/or program meet this requirement? <input type="checkbox"/> Yes <input type="checkbox"/> No Please explain: N/A</p>	
<p><u>Federal Requirement #10:</u> <i>The setting is physically accessible to the individual.</i></p>	<p><u>Guidance:</u></p> <ul style="list-style-type: none"> • Do individuals have the freedom to move about inside and outside the home or are they primarily restricted to one room or area? • Are grab bars, seats in bathrooms, ramps for wheelchairs, etc., available so that individuals who need those supports can move about the setting as they choose? • Are appliances and furniture accessible to every individual?
<p>Does the service and/or program meet this requirement? <input type="checkbox"/> Yes <input type="checkbox"/> No Please explain: N/A</p>	

CONTACT INFORMATION

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Contact Name: Lindsey Dyba
Contact Phone Number: (916) 704-5204
Email Address: lindseydyba@futures-explored.org

ACKNOWLEDGEMENT

By checking the box below, I acknowledge that completion of this evaluation is for the sole purpose of applying for compliance funding and does not take the place of future provider assessments that the Department may require to determine provider compliance with the HCBS settings rules.

I AGREE

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Regional center vendors may receive funding to make changes to service settings and/or programs to help them come into compliance with the HCBS rules. To be considered for funding, vendors must complete and submit this form and the provider compliance evaluation form as one packet to the regional center with which it has primary vendorization.

Instructions:

- The concept form on the next page must be used, may not exceed four pages plus the budget worksheet and any cost backup, and must be kept in Arial 12-point font. Submit the form in Microsoft Word or PDF format. An extra half page is permitted to answer questions about prior funding.
- Using a form from previous years will negatively impact a concept score, so please ensure the current FY 20-21 form is used.
- For providers that operate programs with several vendor numbers involved in one concept, one evaluation and concept form should be submitted and should list all vendor numbers for related/included programs. If multiple programs owned by the same parent company have different compliance evaluations or concepts, additional applications can be submitted but should be attached in the same document as the other owned programs so they can be reviewed together.
- The results of the evaluation should be clearly laid out in the section referring to identification of federal requirements that are currently out of compliance, which the concept will address.
- The concept form includes detailed information that describes the funding requests and supports how the requests will assist the provider to come into compliance.
- There should be a clear link between what is being requested and the federal requirement currently out of compliance.
- Concepts should demonstrate how the requested change in service delivery will impact individuals in offering more choices and opportunities.

Strengths of previously funded concepts:

- Identified the need as well as proposed a plan to provide outreach and information regarding the HCBS rules to individuals served and members of their support teams.
- Discussed the need for additional funds to effectively support individuals served on a more individualized basis in overcoming barriers to community integration and employment, as appropriate.
- Prioritized the preferences of individuals served and utilized their feedback in the development of the concept.
- Implemented a sustainable plan for person-centered planning/thinking and training regarding the HCBS rules.
- Enabled residents to age in place and exercise more choice and independence.

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Vendor name	Futures Explored Inc.
Vendor number(s)	PA1930; H63990; PA1825
Primary regional center	Alta Regional Center
Service type(s)	Employment Training Program, Day Program, Tailored Day Service, Film and Media Studio
Service code(s)	510, 055
Number of consumers typically and currently served	158
Typical and current staff-to-consumer ratio	Tailored Day Service 1:1; Employment Training Program 1:2; Day Program 1:4; Film and Media Studio 1:1-1:6
<p>1. Please provide a brief description of the service/setting. Include what a typical day consists of during regular program as well as how services are currently being provided. This response must include the baseline/current levels for any aspects of the program for which the concept proposes funding.</p>	
<p>H63990: Tailored Day Service: Participants meet one on one with their Direct Support Professional 1-5 times throughout the week to receive targeted support in education or employment, services do not exceed 26 hours/month. H63990: Day Program: Participants engage in community based activities such a volunteerism, mobility training, and community access. PA1930: Employment Training Program: Participants engage in classroom and community based training to develop and enhance pre-employment skills. PA1825: Film and Media Studio: Participants engage in hands on activities to develop and enhance film and media skills.</p> <p>In each of these programs, the Individual Service Plan (ISP) is not truly used to guide services. It is quickly written before an annual meeting with limited participant input. It is looked at once more in the year at the Semi-Annual meeting. Aside from those two time periods, the ISP is not developed in a person centered way utilized as a person centered tool to guide service delivery.</p> <p>In developing the idea for this grant, it was clear that most of our participants do not know what their ISP goals are. In many instances, the goals in the ISP do not correlate with the vision the participant has for their life. Instead of ISP goals being used as a driving force in supporting achievement of a fulfilling life, they are often used to address behaviors which are minor annoyances while services are being delivered such as “I will use a quiet voice when speaking”, or “I will ask a question once and wait for an answer.” Thereby creating situations where the goals are serving the staff more than they are serving the participant. Goals are often repeated from year to year with little progress made towards achieving those goals. This occurs for two reasons—1) the goal is not</p>	

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meaningful to the person and so they are not motivated to work on it; 2) Staff not being aware of the intent of the goal and so do not provide services which adequately support achievement of the goal. Goals are also not consistently updated to reflect changes in the person's life such as a change in living situation that would require new supports in program.

Project Narrative Description: While filling out this section, reflect on how services are typically provided and how that might have changed in the past year. Think about what has been learned in the past year and how that might shape services going forward. Funding awarded through this concept can span the course of up to two years which would allow time to shape services to be more person-centered and align with the HCBS federal requirements.

2. Please provide a brief summary narrative of the concept for which you are requesting funding, including justification for the funding.

This grant would enable us to create 2 Person Centered Planning Specialist Positions along with one part-time Person Centered Planning and Thinking Coordinator.

The role of these positions would benefit the person's served directly by:

- devoting time to develop person centered ISPs using verified Person Centered Planning techniques so that ISP goals are meaningful to the participant and support achievement of their life vision
- increasing the number of times the ISP goals are reviewed by the participant and the DSP from 2x/year to 4x/year ensuring that the ISP goals remain relevant to the participant's life and needs, as well as ensuring that DSP turnover does not jeopardize supports for each goal
- reviewing the needed supports to achieve or make progress on the goals with the DSP 4x/year thereby ensuring that the supports are consistent despite DSP turnover and that supports are being delivered on each goal frequently
- use of data to measure progress towards goals and to inform staff if the services provided are contributing towards the goals as identified.

The role of these positions would benefit the participant indirectly by:

- providing monthly training to all Futures Direct Support Professionals on Person Centered Thinking and providing Person Centered Services
- creating a Learning Community within Futures to embed person centered services into our everyday culture
- providing a feedback system to inform participants, DSPs, and caregivers as to effectiveness of services and need for new services

3. Identify which HCBS federal requirements this concept addresses that are currently out of compliance. Could be all or a subset of those identified as out of compliance on the evaluation.

1_x__ 2__ 3__ 4_x__ 5_x__ 6__ 7__ 8__ 9__ 10__

4. For each HCBS out-of-compliance federal requirement that is being addressed by this concept, describe the barriers to compliance and why this concept is necessary. If this information is in the evaluation section, please copy it here.

#1: The Individual Service Plan (ISP) goals currently written often are not developed in a person centered way and so are not meaningful to the participant and/or do not support

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the person's vision for their life resulting in a disconnect between the ISP and daily activities.

#4: Because ISP goals are not written in a way which takes into account the participant's long term goals, supports during daily activities are not delivered in a way which supports achievement of long term goals.

#5: The participant's Individual Service Plan is generally only modified once or twice a year during the scheduled reviews of services. At times, large changes occur in the person's life which require a change in the ISP goals and supports, however, the ISP is rarely updated at these times to reflect these changes.

These barriers exist due to DSP turnover, lack of training in person centered practices and planning, and lack of time available to dedicate to writing a person centered ISP and reviewing supports regularly in relation to the ISP goals.

5. For each out-of-compliance federal requirement that is addressed in this concept, please explain how the concept will bring the vendor into compliance by March 2023.

#1: Person Centered Specialists would have time to devote to developing ISPs using person centered practices focused on identifying and support participants' long term goals. They would also be trained and certified in Person Centered Planning.

#4: Person Centered Specialists would meet with each participant and their DSP at least 4 times each year, thereby ensuring that despite DSP turnover, services delivered daily support ISP goals.

#5: Person Centered Specialists would be available to meet with a participant and their support team outside of scheduled reviews of services to discuss and implement new or updated ISP goals reflecting changes in the participant's life.

6. What are the proposed outcomes and objectives of the concept, and what are the methods of achieving and tracking them?

Objective: ISPs will be meaningful to the person serviced.

Measured by: By the end of year 2, all participants will have an ISP that reflects their long term goal, services that support achievement of the long term goals, and are written in a person centered way.

Objective: Services delivered will support achievement of long term goals.

Measured by: By the end of year 2, each participant will meet with the Person Centered Specialist and their DSP at least 4x each year to review services as they relate to the ISP.

Objective: Day to day services will be delivered utilizing person centered thinking practices.

Measured by: Creation of a Learning Community devoted to Person Centered practices which will include monthly training, continuous discussion, and regular consultation with DSPs regarding specific situations.

7. Please describe how and/or what was done to include input from the individuals served in developing this concept? Discuss not only the development of the concept, but also what steps were taken to identify the interests and desires of the individuals and who was involved in that process.

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We completed a survey of our participants that revealed that many of our participants do not know their ISP goals. We also asked participants what their vision for their life included, most times, the current ISP goals did not support the person's vision.

8. Please describe how the concept you propose will enable you to provide more person-centered services to your clients.

This concept will create positions whose only job is to ensure that service plans are meaningful to the person served and that services are delivered in way which supports achievement of those meaningful goals.

9. Please address your plan for maintaining the benefits, value, and success of your project at the conclusion of 2020-21 HCBS Funding.

The Person Centered Planning training is a "train the trainer" model. By creating a learning community, we will be able to ensure that the training gained by the Person Centered Specialists is able to be conveyed to the staff as a whole. We also plan on creating a Person Centered Competency as part of the career paths for our DSPs. This will mean that a DSP will be able to engage in targeted and systematic training in Person Centered Planning to add to their skill set. Eventually, there will be enough of our DSPs who have the skill and expertise that fewer specialists will be required and creating person centered ISPs which guide services will be a part of Futures' culture.

10. Write a brief narrative below explaining each major cost category and timeline. Complete the budget template at the end of the concept sheet. An excel version with formulas is available. When applicable, budgets should include personnel/benefits, operating costs such as consultants or training, administrative expenses/indirect costs, and capital costs (assets lasting more than 2 years). If project spans 2 years or occurs in phases, budget should be separated by phase/year.

Administrative costs, if any, must comply with DDS' vendor requirements, including a cap of 15% of the sum of personnel/benefits, consulting, and operating costs (must exclude capital costs). This information can be found at this [link](#).

Personnel: This proposal relies heavily on creating staff positions to achieve the stated outcomes. Two Person Centered Specialist and a part time Person Centered Coordinator will be created. These positions will be hired within one month of grant receipt.

Operating Expenses: We included a line item for incidental technology or access needs of our participants which may be needed for them to fully engage in the planning process. This could include software such as Dragon Speak, hardware such as laptops or tablets to be checked out to the person during their planning process, or written materials which will aid in the planning process such as worksheets for family members.

Administrative Expenses: Will cover the agencies overall operating expenses such as Administration, Human Resources, Payroll.

Capital expenses: The largest expense here is the Person Centered Planning training which is necessary to ensure our practices are in line with researched and proven methods. The staff would join a cohort in June 2021 for this purpose.

11. Please address sustainability of funding sources for all programs or concepts requiring any funding past the timeframe of the requested funding, especially those that involve staff or other

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long-term costs. Please mark “not applicable” if costs will all be incurred during the program timeframe; up to two years.

Not applicable, please see #9 for explanation of why continued costs will not be long term.

12. Have you or the organization you work with been a past recipient of DDS funding? If yes, what fiscal year(s)?	HCBS Funding ___ No <input checked="" type="checkbox"/> Yes. If Yes, FY(s) 17-18; 2018-2019 Disparity Funding <input checked="" type="checkbox"/> No ___ Yes. If Yes, FY(s) CPP Funding ___ No <input checked="" type="checkbox"/> Yes. If Yes, FY(s) 2007, 2012 CRDP Funding <input checked="" type="checkbox"/> No ___ Yes. If Yes, FY(s) If yes to any question be sure to answer questions 13 and 14.
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For providers who have received prior HCBS, Disparity, CPP or CRDP Funding from DDS

13. If your organization has received prior funding from any of the above sources, please provide an update on the prior funding project. You may copy and paste from progress update(s) previously provided to regional centers or DDS.

HCBS 2017-2018: Person Centered Planning and Thinking (RCEB)- Some Person Centered Plans were implemented however, the Person Centered Planner has left the agency and so is no longer a resource. **HCBS 2018-2019:** Community Personal Care Station (Alta) & Mobile Personal Care Station (RCEB)- Due to a major upheaval in our organization that necessitated focus on stabilizing the agency, we were not able to devote time or resources to work through the barriers in implementing both of these projects. **CPP 2007, 2012:** We received funds to develop programs to meet the needs of people exiting Agnews and Sonoma Developmental Centers.

14. If your organization received prior funding, please explain how the current funding request is not redundant with any prior funding received and/or builds on the prior funding but was not part of the original funding.

HCBS 2017-2018: The 17-18 funding was limited to the RCEB catchment area and no part of the grant was used to implement changes in the Alta area. **HCBS 2018-2019:** These projects were focused on creating physical space in the community. The focus for the current proposal is on the ISP and Person Centered Planning rather than physical space. **CPP:** This funding was specific for developing services for people exiting the Developmental Centers and was limited to the RCEB catchment area.

HCBS CONCEPT BUDGET	Person Centered Planning Specialist Positions					
Vendor Name	Futures Explored Inc.					
Vendor Number(s)	H63990, PA1930, PA1825					
	Wage and Benefits	Year 1 Budget		Year 2 Budget		Total
		FTE	Annual Cost	FTE	Annual Cost	Cost
Personnel (wage + benefits)						
Person Centered Specialist	31.75	2,000.00	\$ 63,500	2,000.00	\$ 63,500	\$ 127,000
Person Centered Specialist	31.75	2,000.00	\$ 63,500	2,000.00	\$ 63,500	\$ 127,000
Person Centered Coordinator	41.7	1,000.00	\$ 41,700	1,000.00	\$ 41,700	\$ 83,400
Personnel Subtotal			\$ 168,700		\$ 168,700	\$ 337,400
Operating expenses						
Cell Phones			\$ 100			\$ 100
Participant incidental technology or access needs			\$ 1,000		\$ 1,000	\$ 2,000
Operating Subtotal			\$ 1,100		\$ 1,000	\$ 2,100
Administrative Expenses						
Ten percent administrative expenses			\$ 19,121		\$ 16,871	\$ 35,992
Administrative Subtotal			\$ 19,121		\$ 16,871	\$ 35,992
Capital expenses						
Laptops			\$ 7,500			\$ 7,500
Person Centered Planning Training			\$ 12,000			\$ 12,000
Home Office Equipment			\$ 900			\$ 900
Capital Subtotal			\$ 20,400		\$ -	\$ 20,400
Total Concept Cost			\$ 209,321		\$ 186,571	\$ 395,892

See Attachment F for budget details and restrictions